

ELEANOR GARDINER.

JANUARY 30, 1857.— Ordered to be printed.

Mr. TAYLOR, from the Committee of Claims, made the following

REPORT.

*The Committee of Claims, to whom was referred the memorial of Mrs. Eleanor Gardiner, widow of Henry Gardiner, with the papers accompanying it, have had the same under consideration, and report :*

The claim is for the value of the dwelling house and barn alleged to have been destroyed by the British in the war of 1812, upon the farm of her husband, St. Charles's county, in the State of Maryland.

It is alleged that the battle of St. Leonard's creek was fought upon the farm of Mr. Gardiner, in 1814, and that regular soldiers of the United States and militia were stationed on a portion of the farm, and that this fact occasioned the battle. In the deposition of Samuel Turner, taken in 1836, he states that he was quartermaster or deputy quartermaster of the militia in 1814; that the militia *were encamped a short distance from the farm*; that the farm *was visited* by the militia for the purpose of reconnoitring and viewing the enemy; and that some few days after the arrival of the British vessels at the mouth of the St. Leonard's creek, the buildings on the farm were destroyed. He further states that the battle of St. Leonard's creek, fought by the United States troops, was fought on this farm.

There is nothing whatever to show that the buildings in question were ever occupied for military purposes, or that their destruction was a consequence of their having had a military character imparted to them at any time; and your committee, therefore, respectfully recommend, for the reasons given in their report on the case of Rinaldo Johnson and Ann E. Johnson, that the claim of the memorialist be rejected.

